

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BODUM USA, INC.,

Plaintiff,

Case No. 07-CV-7453 (GEL)

-against-

SERVICE IDEAS, INC.,

Defendant.

DECLARATION OF DAVID E. BENNETT

I, David E. Bennett, declare to the best of my knowledge, understanding and belief pursuant to 28 U.S.C. § 1746:

1. I am a shareholder at Vedder Price P.C. and lead counsel of record for Bodum USA, Inc. (“Bodum”) in the above-noted action.

2. Bodum filed its Complaint against Service Ideas, Inc. (“Service Ideas”) alleging that Service Ideas infringed the Bodum CHAMBORD® Trade Dress in violation of 15 U.S.C. § 125(a), unfair competition under the laws of New York, and in violation of the New York Consumer Protection Law from Deceptive Acts and Practices (the “Lawsuit”).

3. On April 25, 2008, the Court entered an Order dismissing the Lawsuit without prejudice pursuant to settlement. On May 22, 2008, the Court entered an Order stating that the parties shall have leave to reopen the Lawsuit by June 23, 2008, in the event that the settlement agreement was not executed, a date that was extended to July 8, 2008, by the Court.

4. Bodum and Service Ideas have agreed upon a final settlement and compromise of all claims and issues that have been or could have been raised by them in the Lawsuit and are

presently in the process of executing the Settlement Agreement and Mutual Release (the “Agreement”).

5. Pursuant to the Agreement, Bodum and Service Ideas agree that the Court shall retain jurisdiction and be the exclusive venue to enforce the Agreement, and by entering into the Agreement, Bodum and Service Ideas consent to such jurisdiction and exclusive venue.

6. Accordingly, Bodum and Service Ideas agree that it is necessary that the Lawsuit be reopened for the sole purpose of entering the agreed Stipulation and Order of Dismissal that accompanies this Declaration and provides that the Court shall retain jurisdiction and be the exclusive venue to enforce the Agreement, and jointly respectfully request that this Court grant such relief.

Executed on: July 7, 2008

s/David E. Bennett

David E. Bennett